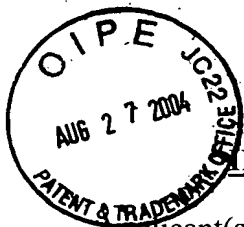


IFW



Docket No. 1232-5220

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): TAKASE et al

Group Art Unit: 1645

Serial No.: 10/728,707

Examiner: 8604

Filed: December 4, 2003

For: PROBE CARRIER AND METHOD FOR ANALYZING THE PROBE CARRIER

CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:

1. Information Disclosure Statement w/11 references
2. Certificate of Mailing
3. Return postcard receipt

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

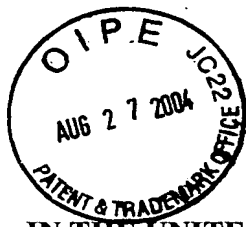
Dated: August 25, 2004

By:


Helen Tiger

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(212)415-8700 Telephone
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Docket No. 1232-5220

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): TAKASE et al

Serial No.: 10/728,707

Filed: December 4, 2003

Group Art Unit: 1645

Confirmation No. 8604

Examiner:

For: PROBE CARRIER AND METHOD FOR ANALYZING THE PROBE CARRIER
INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
JP 8210998A - abstract only; JP2000516727 - See WO985962;
JP 11-187900 - abstract only
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☒ This document is accompanied by ☐ a Search Report ☒ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5220. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

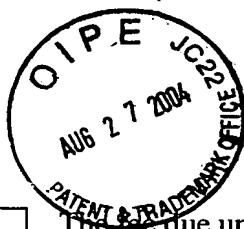
Dated: August 24, 2004

By: _____

Joseph A. Calvaruso
Registration No. 28,287

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(212) 415-8700 Telephone
(212) 415-8701 Facsimile



Docket No. 1232-5220

Serial No. 10/728,707

c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☒ This document is accompanied by ☐ a Search Report ☒ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application

11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).

☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5220. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

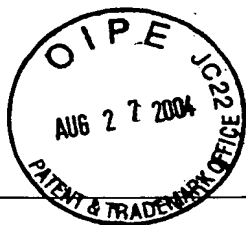
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FORM PTO-1449 INFORMATION DISCLOSURE CITATION			Attorney Docket: 1232-5220		Serial No.: 10/728,707	
			Applicant: TAKASE et al			
			Filing Date: December 4, 2003		Group Art Unit: 1645	

U.S. PATENT DOCUMENTS							
Examiner Initial	Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date	
	1	5,601,980	2/1997	Gordon et al	435	9/1994	
	2	5,821,060	10/1998	Arlinghaus et al	435	8/1996	

FOREIGN PATENT DOCUMENTS							
Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation	
	1	8210998	8/1996	Japan (see abstract)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	2	2000516727	6/1998	Japan (see WO 9859362)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	3	98/59362	12/1998	WO		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	4	11-187900	7/1999	Japan (see abstract)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

OTHER DOCUMENTS (Including Author, Title, Date, etc.)	
1	Schena et al; "Quantitative Monitoring of Genb Expression Patterns with a Complementary DNA Microarray", Science, Vol. 270, 20 October 1995; pp. 467-470.
2	Arlinghaus et al, "Analysis of Biosensor Chips for Identification of Nucleic Acids", Anal. Chem, Vol. 69, No. 18, Sept. 15, 1997, pp. 3747-3753
3	John et al, "Time-of-Flight Secondary Ion Mass Spectrometry Analysis of Biological Materials", Secondary Ion Mass Spectrometry SIMS VIII, Proceedings of the 8 th International Conference Amsterdam the Netherlands, Sept. 15-20, 1991, pp. 657-660; John Wiley & Sons
4	Lazzeri, et al, "Use of spin-coatd TXRF reference samples for ToF-SIMS metal contaminant quantification on silicon wafers; Surface and Interface Analysis 29, 20009, pp. 798-803
5	Search Report – PCT/JP03/08092, June 26, 2003

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	